

REMARKS

Claims 1, 6, 8, 21, 23-33 currently remain in the application. Claims 2-5, 7, 15-20 and 22 have been canceled, claims 9-14 have been withdrawn from consideration. No claim is herein amended.

Claims 1, 6, 21, 23-25 and 29-33 were rejected under 35 U.S.C. 112 because the specification refers to kinked parts which are only said to be "nearly" semicircle and not a perfect semicircle. Applicant believes that the United States is a country where common sense prevails and where common sense is relied upon by almost everybody including judges of the courts and the members of the Board of Patent Appeals and Interferences. When a patent document refers to a semicircle, a person with common sense is believed to interpret this expression as meaning "nearly semicircle", not as "perfectly semicircle", even if the same document fails to further clarify whether it is intended to be a perfect semicircle, no matter how a reader may interpret this expression to mean. Indeed, what man-made object can be perfectly semicircle, or what man-made object can be perfect? Expressions like "nearly" and "perfect" are believed to be interpreted by persons with common sense such as judges of the courts and the members of Board of Patent Appeals and Interferences only in terms of the intended effects. If a doctor tells a patient to take 0.5g of a certain medicine (not "nearly 0.5g" or "perfectly 0.5g"), would the Examiner recommend the patient to take only 0.25g because 1/4 is nearly 1/2 and because the doctor did not say to take "perfectly 0.5g" without knowing whether the medicine is such that one half of the recommended dose may not do any good to the patient and may even harm the patient? In the present application, kinks are at least in part for the purpose of being used as shown in Fig. 4 and explained in page 8 at lines 3-26. For the purpose of thus penetrating a circuit board 5 through a throughhole 5a, the kinks need not be perfectly semicircular but must be nearly semicircular within a certain limitation. This certain limitation will depend on the thickness of the board and the curvature of the nearly semicircular kink but, except in unusual or extreme cases, a kink in a quarter-circle shape will not serve the intended purpose.

It is therefore requested that the Examiner reconsider the rejection by consulting persons believed to know how to use common sense, if not a judge of a court or a member of the Board of Patent Appeals and Interferences, to ascertain whether an expression

"semicircle" without the limitation that a perfect semicircle is intended can be interpreted to include a quarter circle.

Claims 1, 21, 26 and 29-30 were rejected under 35 U.S.C. 102 as being anticipated by McOrlly. The rejected claims require two lead lines being bent in a same direction and McOrlly's two kinds 32 and 132 are bent in mutually opposite directions but the Examiner argues that they are merely "attached in different directions." The Examiner is requested to recognize that the rejected claims are limited by the directions of bents as the lead lines are attached to the sensor to form the parts of the sensor being claimed, not as individual components which are yet to be assembled. McOrlly does not disclose lead lines which are both already attached to be components of a product and bent in the same direction. Hence, this reference does not anticipate the rejected claims.

Claims 21 and 29-30 were rejected under 35 U.S.C. 102 as being anticipated by Grimm, the Examiner saying that whether a quarter circle anticipates a semicircle or not is a matter of degree. As discussed above, whether a quarter circle is nearly or approximately semicircular depends on the circumstances. If they serve qualitatively the same purpose, one may be said to anticipate the other but if one cannot serve a desired purpose of the other, the same conclusion cannot hold. In the instant case, Grimm's quarter circle cannot serve the purpose of mounting as shown in Fig. 4 of the application, as explained above. Furthermore, the rejected claims require two lead lines bent in a side-by-side relationship. Grimm does not show or even hint at a pair of similarly bent lead lines and hence cannot support the Examiner's rejection even on the obviousness ground, much less on the anticipation ground.

Claims 1, 21, 26 and 28-30 were rejected under 35 U.S.C. 102 as being anticipated by Katsuki. The Examiner seems to be of the opinion that Katsuki discloses two kinked parts that may be described as being in a side-by-side relationship, saying that this expression is not found in dictionaries and that two buildings can be side by side with shrubs in-between. Applicant respectfully disagrees. Firstly, expressions not in dictionaries do not automatically allow free interpretations. For example, the Examiner himself used the word "unpatentable" in line 2 of Paragraph 8 and the undersigned attorney has yet to find a dictionary with this word listed, and the Examiner unabashedly used this expression in the Official Letter without providing definition thereof. Applicant believes that expression "side-by-side" is well

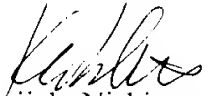
understood by ordinary persons in this country and the Examiner is requested to consult persons raised and educated in this country to ascertain whether or not this is so. Secondly, two relatively large buildings may be said to be in a side-by-side relationship with a relatively small bush in between but applicant believes that two relatively small bushes with a relatively large building in between, as illustrated on an enclosed drawing, may not appropriately be described as being in a side-by-side relationship. The Examiner is again requested to consult persons used to use the English language in a common sense-dominated manner. As for Katsuki's example, two kinked parts are relatively small compared to the thermistor 11 in between and cannot perform the function that can be carried out by the kinks in the rejected claims because of their side-by-side relationship. Thus, applicant believes that Katsuki's kinks cannot normally be described as being in a side-by-side relationship and do not anticipate those of the rejected claims.

Claims 6, 23-24, 27 and 31-32 were rejected under 35 U.S.C. 103 over Katsuki or Grim or McOrlly in view of Clem. These are dependent claims inheriting all of the limitations in the independent claim from which they each depend. Rejection of the independent claims over Katsuki or Grim or McOrlly has already been discussed and Clem does not disclose or even hint at the inventive elements of the rejected independent claims which Katsuki, Grim and McOrlly fail to disclose. Thus, the rejection of these dependent claims cannot be justified.

In summary, it is believed that the application is in condition for allowance.

Attached hereto for the convenience of the Examiner is the claims section now pending although none of the currently pending claims is herein amended.

Respectfully submitted,


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